IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 7488 of 2005

Between:

C.S. Narayana, S/o. Ramachandraiah

Occ: Driver, E.No.251, R/o. Shankarampet (A)

Village and Mandal, Medak District.

..... PETITIONER

AND

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1. The Government of Andhra Pradesh, Labour Employment & Training Dept., rep. By its Principal Secretary to Government, A.P. Secretariat, Hyderabad.

2. The Depot Manager, APSRTC, Narayankhed Depot, Medak District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the records from the Respondents herein by issuing a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus by declaring the action of the 1st respondent in not referring the dispute to the appropriate Labour Court in Pursuance of Lr.No.G/296/2004 dt.Nil – 2004 of Asst. Labour Commissioner, Sangareddy as arbitrary, illegal and contrary to law and also contrary to the provisions of I.D. Act and consequently direct the 1st respondent herein to refer the dispute to appropriate Labour Court in pursuance of Lr.No.G/296/2004 dt.Nil – 2004 forthwith.

Counsel for the Petitioner: MR. P. Sridhar Rao

Counsel for Respondent No.1: G.P. for Labour.

Counsel for Respondent No.2: Mr. V.T.M. Prasad

The Court made the following :

ORDER:

Questioning the action of the first respondent in not referring the dispute to the appropriate Labour Court in Pursuance of Lr.No.G/296/2004 dt.Nil – 2004 of Asst. Labour Commissioner, Sangareddy, the petitioner filed the present writ petition.

Heard learned counsel for the petitioner, learned Government Pleader for Labour, Employment & Training and learned Standing Counsel for the second respondent.

The Conciliation Officer & Assistant Commissioner of Labour, Sangareddy informed the first respondent about the failure of conciliation proceedings with regard to the punishment of deferment of annual increment of 2 years imposed on the petitioner. Therefore, appropriate decision has to be taken by the first respondent for referring the case to the Tribunal.

Therefore, without going into the merits of the case, the Writ Petition is disposed of directing the first respondent to take appropriate decision in pursuance of the letter addressed by the Conciliation Officer-cum- Assistant Commissioner of Labour, within a period of two months from the date of receipt of a copy of this order. No costs.

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K.C. Bhanu, J.

6th April 2005

js.

To

1. The Government of Andhra Pradesh, Labour Employment & Training Dept., rep. By its Principal Secretary to Government, A.P. Secretariat, Hyderabad.
2. The Depot Manager, APSRTC, Narayankhed Depot, Medak District.
3. Two CCs to G.P. for Labour, Employment & Labour, High Court Buildings, Hyderabad.
4. 2 CD copies.